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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

THIRD APPELLATE DISTRICT

(Sutter)

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THE PEOPLE,

Plaintiff and Respondent,

v.

ANTHONY VALDEZ,

Defendant and Appellant.

C068902

(Super. Ct. No.  
CRF102500)

Appointed counsel for defendant Anthony Valdez asked this court to review the record to determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436 (*Wende*).) We will order correction of the amended abstract of judgment, but we find no other arguable error and no entitlement to additional presentence credit. We will affirm the judgment.

I

Because the matter was resolved by plea, the facts are taken from the probation officer's report. In August 2010, a California Highway Patrol officer observed a car approaching him at a high speed in Sutter County. Using Doppler radar, the officer measured the car's speed at 83 miles per hour in a 60-mile-per-hour zone. It was later determined that defendant was the driver of the car.

The officer pursued defendant and activated his lights and siren. Defendant did not stop, but instead led officers on a high speed chase to West Sacramento, a distance of more than 16 miles. Defendant made a series of unsafe lane changes, swerved across the gore point of a freeway offramp, collided into a caution sign, and traveled through the dirt center median of another offramp. Defendant ultimately fled from the car and avoided apprehension. A month later, however, he was taken into custody on a warrant from a different jurisdiction.

Defendant pleaded guilty to driving with willful or wanton disregard for safety while eluding a pursuing peace officer. (Veh. Code, § 2800.2, subd. (a).) The trial court sentenced him to three years in prison, awarded him 67 days of custody credit and 67 days of conduct credit, and ordered him to pay a \$600 restitution fine (Pen. Code, § 1202.4), a \$600 restitution fine suspended unless parole is revoked (Pen. Code, § 1202.45), a \$40 court security fee (Pen. Code, § 1465.8, subd. (a)(1)), and a \$30 court facilities assessment (Gov. Code, § 70373).

## II

Appointed counsel filed an opening brief that sets forth the facts of the case and asks this court to review the record and determine whether there are any arguable issues on appeal. (*Wende, supra*, 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant.

Our review of the record discloses that part 12 of the amended abstract of judgment must be corrected to reflect that defendant's conduct credits were calculated pursuant to Penal Code section 4019.

Having undertaken an examination of the entire record, we find no other arguable error that would result in a disposition more favorable to defendant.

## DISPOSITION

The judgment is affirmed. The trial court is directed to correct the amended abstract of judgment to reflect that conduct credits were calculated pursuant to Penal Code section 4019. The trial court shall forward a certified copy of the corrected

amended abstract of judgment to the California Department of  
Corrections and Rehabilitation.

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MAURO, J.

We concur:

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BLEASE, Acting P. J.

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BUTZ, J.